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APPLICATION NO.	FILING DATE	13/99	KIT	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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MM91/0820

HILL EXAMINER

ART USE 78 PAPER NUMBER

08/20/01

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/453,592	KITAYAMA ET AL.	
	Examiner	Art Unit	
	Bradford K Hill	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 November 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 December 1999 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____ .
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . 6) Other: _____ .

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention and its novelty to which the claims are directed.

The abstract of the disclosure is objected to because it fails to meet the requirement of a single paragraph in length. Correction is required. See MPEP § 608.01(b).

Claims 2 and 3 are objected to because of the following informalities: the word "charge" must precede transfer portion, in order to have antecedent basis from claim 1. Appropriate correction is required.

Drawings

Figures 4a-7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner reads the "gate width" (in claims 1, 2,

3, and 4) as defined within the specification to be a constant width, it is only the “readout gate width” that the applicant has described as changing.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Stevens et al. (886).

Regarding claims 1, 2, 4, and 5 Stevens et al. teach a photoelectric converter (Figure 6) comprising a light receiving portion (though not explicitly cited, Stevens et al. specify the application of an imaging charge-coupled device (CCD) which is known to inherently have pixels comprised of photodiodes – a light receiving portion), a gate portion 12, and a charge transfer portion 15, wherein the width w2 of the readout gate portion (which Stevens et al. refer to as the “channel width”) is wider at the said light receiving portion than at the said charge transfer portion (see column 3, lines 26-32).

Regarding claims 3, Stevens et al. (applied as above) diagram in Figure 6 that the readout gate consists of two portions, wherein, the first portion the gate width of which is narrower from the said light receiving portion toward said charge transfer portion, and a second gate portion provided with an identical gate width from said first portion further toward said charge transfer portion.

Conclusion

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kuno (093) who teaches a method of tampering the readout gate in order to increase the efficiency of the charge transfer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradford K Hill whose telephone number is 703-308-6268. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seungsook Ham can be reached on 703-308-4090. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7724 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

bkh
August 16, 2001



SEUNGSOOK HAM
SUPERVISORY PATENT EXAMINER
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